

OFFICIAL COPY OF CHARTER CHANGES

1. *“Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further amended to adopt ranked choice voting for the election of the City’s city councilors beginning with the March 2022 election, through the amendment of City Charter § 5 as follows:*

§ 5 Election to be by ballot; method of election[~~; runoff elections~~].

(a) The election of the mayor[~~, all city councilors~~] and school commissioners shall be by ballot, and the person or persons receiving a plurality of all votes cast for any office aforesaid shall, except as hereinafter provided, be declared elected thereto. However, if no person receives at least 40 percent of all votes cast for any office aforesaid, no one shall be declared elected and a runoff election shall be held. The only candidates in the runoff election shall be the two persons receiving the greater number of votes or, in case of a tie, the persons receiving the greatest number of votes or the persons receiving the second greatest number of votes. The chief administrative officer shall within seven days warn a runoff election to be held not less than 12 days nor more than 20 days after the date of the warning. The warning shall be published in a newspaper of general circulation in the city and posted in a public place. The person or persons receiving a plurality of all the votes case in a runoff election shall be declared elected.

(b) All elections of city councilors shall be by ballot, using a system of ranked choice voting without a separate runoff election. The chief administrative officer shall implement a ranked choice voting protocol according to these guidelines:

(1) The ballot shall give voters the option of ranking candidates in order of preference.

(2) If a candidate receives a majority (over 50 percent) of first preferences, that candidate is elected.

(3) If no candidate receives a majority of first preferences, an instant runoff retabulation shall be performed by the presiding election officer. The instant runoff retabulation shall be conducted in rounds. In each round, each voter’s ballot shall count as a single vote for whichever continuing candidate the voter has ranked highest. The candidate with the fewest votes after each round shall be eliminated until only two candidates remain, with the candidate then receiving the greatest number of votes being elected.

(4) The city council may adopt additional regulations consistent with this subsection to implement these standards.?”

2. *“Shall the charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further amended to increase the size of the board of airport commissioners to seven members, including adding a representative from Winooski, through the amendment of City Charter §120 and §276 as follows:*

120 Enumerated.

There shall be maintained in said city a board of assessors consisting of the city assessor and two (2) legal voters of said city; a board of tax appeals normally consisting of seven (7) legal voters of said city; a board of public works commissioners consisting of seven (7) legal voters of said city; a board of cemetery commissioners, a board of light commissioners, a board of fire commissioners, and a board of health, each consisting of five (5) legal voters of said city; a board of airport commissioners consisting of five (5) [four (4)] legal voters of the City of Burlington and one (1) legal voter of the city of South Burlington and one (1) legal voter of the city of Winooski; a board of police commissioners, consisting of seven (7) legal voters of said city; a board of park and recreation commissioners, consisting of seven (7) legal voters of said city; a board of library commissioners consisting of ten (10) members; a board of planning commissioners, the members of such boards to be appointed by the city council with mayor presiding; a board of school commissioners consisting of twelve (12) legal voters of said city and of the respective wards in which they are elected; and a board of finance to be constituted as hereinafter provided.

ARTICLE 84. AIRPORT COMMISSIONERS; AIRPORT MANAGER

276 Composition; terms; powers; manager.

(a) (1) (A) The board of airport commissioners of the City of Burlington shall consist of ~~[four]~~ five (5) legal voters of said city to be appointed by the city council with mayor presiding to serve for three years and until their successors are appointed and qualified.

(B) In addition, so long as the public aviation field and municipal airport is located within the limits of the City of South Burlington, the board of airport commissioners shall likewise consist of one legal voter of said City of South Burlington to be appointed by the governing body thereof to serve for three years and until a successor is appointed and qualified.

(C) In addition, the board of airport commissioners shall likewise include one legal voter of the city of Winooski to be appointed by the governing body thereof to serve for three years and until a successor is appointed and qualified.

(2) The city council shall have the exclusive general management and control of all lands owned or leased and used by the city for the purpose of a municipal airport, and of all buildings, property and equipment of the city thereon, and shall see that the same are kept in good condition and repair.

(3) The city council may by resolution delegate any of its powers relating to the airport to the board of airport commissioners.

(b) The city council shall have power to make and alter from time to time, all needful rules and regulations for the maintenance of order, safety, and decency within the boundaries of said airport and to fix penalties for disobedience thereof; which rules and regulations shall have the force of ordinances of the City of Burlington; provided, that no such rule or regulation shall be of any effect unless it shall have been published in full in one or more of the daily newspapers

published in Burlington, and also printed and posted in conspicuous places within the limits of the property to which such regulation is intended to apply.

(c) The director of aviation shall have special and immediate care and practical supervision of the airport department subject to the authority of the mayor as chief executive officer and to the orders and ordinances of the city.?”

3. *“Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further amended to give the City Council the power to provide by ordinance protections for residential tenants from evictions without ‘just cause’ by adopting and adding a new section 48(66) to read as follows:*

(66) (a) To provide by ordinance protections for residential tenants, as defined in Chapter 137 of Title 9 of the Vermont Statutes Annotated, from eviction without ‘just cause,’ where just cause shall include, but is not limited to (1) a tenant’s material breach of a written rental agreement, (2) a tenant’s violation of state statutes regulating tenant obligations in residential rental agreements, (3) non-payment of rent, and (4) a tenant’s failure to accept written, reasonable, good faith renewal terms.

(b) Such ordinance shall exclude from ‘just cause’ the expiration of a rental agreement as sole grounds for termination of tenancy. In addition to the exemptions in Chapter 137 of Title 9, the ordinance shall exempt from this provision, subject to mitigation provisions, sublets and in-unit rentals as well as the following properties but not limited to (1) owner-occupied duplexes, and triplexes; (2) those being withdrawn from the rental market, including properties to be occupied by the owner or an immediate family member as a primary residence; and (3) those in need of substantial renovations which preclude occupancy.

(c) Such ordinance shall include provisions that (1) mitigate potential negative impacts on tenants and property owners, including but not limited to requirements of adequate notice and reasonable relocation expenses, (2) provide for a reasonable probationary period after initial occupancy, and (3) limit unreasonable rent increases to prevent de facto evictions or non-renewals, although this shall not be construed to limit rents beyond the purpose of preventing individual evictions.

(d) The ordinance shall define what is ‘reasonable’ and ‘adequate notice’ in defining just cause and shall require that landlords provide notice of just cause and other legal requirements as part of the rental agreement.?”

4. *“Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended, be further amended to permit the City Council to regulate thermal energy systems in residential and commercial buildings, through the amendment of Section 48*

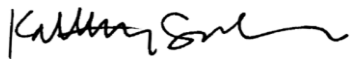
Powers of the City Council Enumerated to add the following power:

(67) To regulate thermal energy systems in residential and commercial buildings, including assessing carbon impact or alternative compliance payments, for the purpose of reducing greenhouse gas emissions throughout the city; no assessment of carbon impact or alternative compliance payment shall be imposed unless previously authorized by a majority of the legal voters of said city voting on the question at any annual or special city meeting duly warned for the purpose.?”

* Material underlined added.

** Material stricken out deleted and bracketed.

This “Official Copy of Charter Changes” is posted this 6 day of January, 2020.

By: 
Katherine Schad,
Chief Administrative Officer

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